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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/600,555	06/20/2003	Jin Li	MCS-004-03 (303703.01)	6040
7590 Mark A. Watson Lyon & Harr Suite 800 300 Esplanade Drive Oxnard, CA 93030			EXAMINER DANG, DUY M	
			ART UNIT 2624	PAPER NUMBER
			MAIL DATE 03/25/2008	DELIVERY MODE PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b> 10/600,555	<b>Applicant(s)</b> LI, JIN	
	<b>Examiner</b> Duy M. Dang	<b>Art Unit</b> 2624	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 10 December 2007.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-78 is/are pending in the application.
- 4a) Of the above claim(s) 2-10, 23-30, 43-48, 63, and 67-78 is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1, 15-22, 35-42, 53-59 and 64-66 is/are rejected.
- 7) ☒ Claim(s) 11-14, 31-34, 49-52 and 60-62 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)                     | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____                                      |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)          | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____  | 6) <input type="checkbox"/> Other: _____                          |

### DETAILED ACTION

1. Applicant's amendment filed on 12/10/07 has been entered and made of record.

#### *Response to Arguments*

2. Applicant's arguments (Argument) filed 12/10/07 have been fully considered but they are not persuasive.

-Applicant's amendment overcomes the rejection of claims 1 and 11-21 under section 101. For clarification, only claims 1 and 11-21 were rejected under section 101 and other claims were listed there due to the typographical error.

-In response to Argument, see section 2.1 of the Argument at pages 17-19, with regard to the rejection of claim 1 under section 102, the examiner disagrees. Specifically, the Argument is based on the ground that "claims the use of the decoder pointer rather than the encoder pointer". In this case, claim 1 recites "decoder pointers generated during the encoding of the constituent components" at last two lines. Applicant is reminded that the examiner is entitled to give the broadest reasonable interpretation to the language of the claims. So the examiner considers encoder pointers of the JPEG 2000 standard to be Applicant's decoder pointers generated during the encoding of the constituent components within the broad meaning of the term. The examiner is not limited to applicant's definition which is not specifically set forth in the claims. See In re Tanaka et al., 193 USPQ, (CCPA) 1977. Furthermore, pointer marked at the end of each code  $b_{i,0}, b_{i,1}, \dots$ , of the bitstream in figures 2-3 corresponds to the so-called "decoder pointer".

-In response to Argument, see sections 2.2-2.4 of the Argument at pages 19-24, with regard to the rejection of claims 22, 42 and 59, it is noted that such Argument is based on the same ground as to claim 1. Therefore, the advanced statements above is incorporated herein.

***Claim Rejections - 35 USC § 102***

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

4. Claims 1, 15-22, 35-42, 53-59, and 64-66 are rejected under 35 U.S.C. 102(a) as being anticipated by Applicant's admitted prior art (see figures 2-3 and their corresponding text portion described in the instant specification. Referred as the AAPA hereinafter).

Regarding claim 1, as a representative claim, the AAPA teaches decomposing an input signal into constituent components (see wavelet of figure 2); encoding (see entropy coder of figure 2) the constituent components into individual bitstreams with corresponding decoder pointer being generated as a part of the encoding (see the separation mark or markers between individual portion of each output at each coder); and multiplexing the individual bitstreams into a combined bitstream, with synchronization of the multiplexing being controlled by the decoder pointers generated during the constituent components (see bitstream assembly. Note that the recitation of "synchronization" is inherently included in the bitstream assembly in order for the combined bitstreams, output of the bitstream assembly to be properly generated).

Regarding claims 15-21, the AAPA further teaches these claimed features (see figure 1).

Regarding claims 22, 42, and 59, these claims are also rejected for the same reasons as set forth in claim 1 above.

Regarding claims 35-41, 53-58, and 64-66, these claims are also rejected for the same reasons as set forth in claims 15-21 above.

***Allowable Subject Matter***

5. Claims 11-14, 31-34, 49-52, and 60-62 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims as well as overcoming the rejection under section 101 as set forth above.

***Conclusion***

6. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

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7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Duy M. Dang whose telephone number is 571-272-7389. The examiner can normally be reached on Monday to Friday from 6:00AM to 2:30PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Eileen D. Lillis can be reached on 571-272-6928. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

dmd  
3/08

/Duy M Dang/  
Primary Examiner, Art Unit 2624